

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

<b>In Re: BP SHAREHOLDER DERIVATIVE LITIGATION</b>	<b>MDL NO. 2185</b>
)	
)	<b>Civil Action No. 4:10-cv-3447</b>
)	
<b>In Re: BP P.L.C. SECURITIES LITIGATION</b>	<b>Civil Action No. 4:10-md-2185</b>
)	
)	<b>Hon. Keith P. Ellison</b>
)	

**[PROPOSED] ORDER GRANTING LEAVE FOR  
ADDITIONAL BRIEFING AND DISCOVERY**

Before the Court is the Derivative Plaintiffs' Motion for Leave to Brief Issues Raised at Hearing and for Discovery. Having considered the Motion and any responses thereto, the Court is of the opinion that the Motion should be granted.

IT IS THEREFORE ORDERED that the parties are granted leave to submit additional briefing on the following issues:

- (1) Can this Court apply Sections 260-263 of the Companies Act to determine whether Plaintiffs have standing to bring this Action?
- (2) Can this Court apply Sections 260-263 of the Companies Act to determine whether Plaintiffs should be given permission to proceed with this Action and, if so, should permission be given?
- (3) If the Court cannot apply the elements of Sections 260-263, does the common law allow Plaintiffs to continue this Action?

Plaintiffs must submit their supplemental briefing by August 31, 2011.

**IT IS SO ORDERED.**

SIGNED at Houston, Texas, on this the 10<sup>th</sup> day of August, 2011.

  
Keith Ellison  
KEITH R. ELLISON  
UNITED STATES DISTRICT JUDGE